

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KELLEY HOWE,

Plaintiff,

v.

MIDDLETON VILLAGE NURSING AND
REHABILITATION CENTER, BILL WATSON,
JOE STANGFELD and ASHLEY O. STROWSKI,

Defendants.

ORDER

11-cv-553-slc

This is a civil action for monetary relief in which plaintiff Kelley Howe contends that defendants failed to provide adequate medical care to his now deceased mother. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve his complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendants. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendant well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint, I am enclosing with this order copies of the procedure for serving a complaint on individuals and the procedure for serving a complaint on a corporation, partnership or unincorporated association along with Wis. Stat. § 801.11. I am also enclosing extra copies of plaintiff's complaint and the forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the memoranda.

ORDER

IT IS ORDERED that plaintiff serve his complaint on the defendants promptly and file proof of service of his complaint as soon as he has served the defendants. (“Proof of service” is explained in the attachments.) By October 11, 2011, plaintiff is to file proof of service of his complaint on the defendant or tell the court why he cannot do so. If he does not file the proof of service or explain why he could not serve the defendants, I will order him to explain why his case should not be dismissed for lack of prosecution.

Entered this 10th day of August, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge